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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/596,071

05/26/2006

Ulrich Begemann

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EXAMINER

HALPERN, MARK

ART UNIT

PAPER NUMBER

1791

NOTIFICATION DATE

DELIVERY MODE

12/15/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com
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Office Action Summary	Application No. 10/596,071	Applicant(s) BEGEMANN ET AL.	
	Examiner Mark Halpern	Art Unit 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-28 and 30-42 is/are pending in the application.
- 4a) Of the above claim(s) 39-42 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-28, 30-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1) A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 8/31/2009 has been entered. Claims 18, 30 are amended and claim 29 is cancelled.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2) Claims 18-28, 30-38 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 18 recites in line 6, "a coating color distribution chamber," and recites in lines 7-8, "a film press having at least one film roll structured and arranged to apply a coating color supplied by the coating color distribution chamber;". "A coating color

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distribution chamber” is not supported in the original Specification and is considered as new matter.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3) Claims 18-28, 30-38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 18 recites in line 6, “a coating color distribution chamber,” and recites in lines 7-8, “a film press having at least one film roll structured and arranged to apply a coating color supplied by the coating color distribution chamber;”. “A coating color distribution chamber” is not clear since it is not supported in the original Specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4) Claims 18-25, 28, 30-38 are rejected under 35 U.S.C. 103(a) as obvious over Ahonen (6,413,371).

Claim 18: Ahonen discloses a paper machine that includes a wire section 200, a pressing section 300, a drying section 400, a film press to apply a color coating 500, a calender 700, and a winding reel 800 (Abstract, col. 4, line 44 to col. 5, line 59, and Figure 1). Ahonen is silent on a coating color distribution chamber for a film press to apply a color coating 500, however, it would have been obvious, to one skilled in the art at the time the invention was made, that a coating color distribution chamber is included in the design of Ahonen since such a chamber is a key element to supply coating color in the paper manufacturing process of Ahonen. It would have been obvious that the coating color be of any solids proportion, including the claimed solids proportion, in order to obtain desired product results, and that the coating color solids proportion does not structurally distinguish the invention over the cited prior art.

Claim 19: gap former 250 between twin wires 215 and 216 is disclosed (col. 4, lines 44-65).

Claims 20, 22-23: the apparatus includes a forward dryer section 400 and an impingement dryer 450 and a conventional cylinder dryer 460 which includes dryer groups R_1 - R_N . The forward dryer section 400 reads on predryer (col. 4, line 65 to col. 5, line 8). Impingement dryer 450 reads on a float dryer with hot air.

Claim 21: smoothing with rolls occurs before film pressing.

Claims 24-25: Ahonen is silent on the wire fabric quality, however, it would have been obvious to one skilled in the art at the time the invention was made, to utilize felt of fine quality to obtain good product results.

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Claims 28, 30-35: Ahonen discloses coating color. In view that the present Specification does not define the binder system, the coating color of Ahonen reads on the claimed binder. Additionally, the use of a binder system would not structurally differentiate the apparatus claims over the cited prior art. It would have been obvious to one skilled in the art at the time the invention was made, that the coating color be of any solids proportion, including the claimed solids proportion, in order to obtain desired product results.

Claim 36: it would have been obvious that the film roll be structured to be of a diameter that would provide for process and product results.

Claims 37-38: Ahonen discloses moistener upstream of calender. It would have been obvious to install the nozzle moistener at a distance to obtain desired process and product results.

5) Claims 26-27, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahonen in view of Meschenmoser (6,406,596). Ahonen discloses press section tandem shoe presses 350 and 360 are disclosed having extended nips and counter rolls 311, 310 and 321, 320 (col. 5, lines 8-30). Ahonen is silent on including in the press section a third press, an offset press. Meschenmoser discloses the application of an offset press in papermaking. It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Ahonen and Meschenmoser because such a combination would provide for improved smoothing of the web in the design of Ahonen as disclosed by Meschenmoser.

Response to Amendment

6) Applicants' arguments filed 8/31/2009 have been fully considered but they are not persuasive.

Applicants allege that the cited prior art, Ahonen, does not disclose claim 18 feature of "a coating color distribution chamber," and "a film press having at least one film roll structured and arranged to apply a coating color supplied by the coating color distribution chamber, wherein the coating color has a solids proportion of less than 65% measured in percent by mass".

Ahonen is silent on a coating color distribution chamber for a film press to apply a color coating 500, however, it would have been obvious, to one skilled in the art at the time the invention was made, that a coating color distribution chamber is to be included since such a chamber is a key element to supply color coating in the paper manufacturing process of Ahonen. It would have been obvious to one skilled in the art at the time the invention was made, that the coating color be of any solids proportion, including the claimed solids proportion, in order to obtain desired product results.

Applicants allege that the original disclosure provides explicit support for a coating color distribution chamber because one ordinarily skilled in the art reviewing the original disclosure would readily understand that the nozzles for the film press illustrated in Fig. 4 are connected to some sort of coating color supply unit, such as the distribution chamber.

Examiner maintains that "a coating color distribution chamber" is neither recited nor supported in the original Specification and is considered as new matter.

Conclusion

7) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Halpern whose telephone no. is 571-272-1190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571-272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

/Mark Halpern/
Primary Examiner
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